A Few Words from Congress's Anti-Tobacco Voices

By John Chwat

Atkins

Levine

Moakley

At the start of each Congress certain members of the U.S. House and Senate introduced a full range of anti-tobacco legislation ranging from proposed raises in Federal excise taxes on tobacco products to mandating the manufacture of fire-safe cigarettes. The following is a selected list of some of the key sponsors in the 101st Congress, 1st Session, of legislation designed in some way to have an adverse effect on the domestic tobacco industry.

HOUSE

Chester Atkins (D-Mass.)
H.R. 665, The Adolescent Tobacco Education and Prevention Act

H.R. 665 has three elements: (1) There is an education component paid for through already authorized funds in the Drug-Free Schools and Communities Act of 1986 on the additive and life-threatening aspects of tobacco use; (2) It establishes a national standard by prohibiting the sale of tobacco products to anyone under the age of 18; and (3) It establishes a ban on vending machine sales of tobacco products.

March 28, 1989
Dear Colleague letter

Mel Levine (D-C[illegible]f.)
H.R. 1249, Tobacco Export Reform Act

Our legislation would require that tobacco products sold abroad carry the same warning labels on packaging and advertising, as well as the same restrictions on advertising, as those sold in this country under the Federal Cigarette Labeling and Advertising Act. It would also restrict U.S. government authorities from promoting the reduction or elimination of foreign country restrictions on the advertising, sale, manufacture, promotion or distribution of tobacco products.

It is even more disturbing that the U.S. government has often been an enthusiastic advocate of tobacco promotion abroad. The U.S. trade representative has used the threat of section 301 trade sanctions to force open markets or change marketing practices in Japan, South Korea, and Taiwan in recent years. Trade negotiators have treated advertising restrictions as non-tariff trade barriers; currently, U.S. trade negotiators are pressuring Thailand to lift its ban on cigarette advertising. U.S. government officials also tried to thwart a Hong Kong ban on smokeless tobacco products. And the U.S. Targeted Export Assistance Program and the Cooperator Foreign Market Development Program provide U.S. taxpayer dollars for the purpose of developing foreign markets for U.S. tobacco."

March 2, 1989
Press release

Joe Moakley (D-Mass.)
H.R. 292, Fire Safe Cigarette Act

I, along with Senator Cranston and Senator Heinz, have been actively involved with this issue for the past decade. We sponsored the original Cigarette Safety Act of 1984 which created the Technical Study Group on cigarette and Little Cigar Safety (TSG) to study the technical, economic and commercial feasibility of developing a cigarette with a minimum prosperity to ignite upholstered furniture.

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Oberstar

Slattery

Stark

The Final Report of the TSG found "that it is technically feasible and may be commercially feasible to develop cigarettes that will have a significantly reduced propensity to ignite upholstered furniture and mattresses." The key characteristics that lead to a fire safe cigarette are: less porous paper, more expanded tobacco, presence of a filter tip, no citrate ditive, and in some cases a smaller ameter. Various combinations of these modifications significantly reduce the likeliness of a cigarette related fire.

After previewing the final report of the Technical Study Group, Senator Cranston, Senator Heinz, and I introduced the legislation which would direct the National Bureau of Standards to develop a performance test method with one year of enactment of the legislation, and require the CPSC to promulgate a fire safety standard that cigarette manufaturers would then have one year to comply. We strongly believe decisive actions needs to be taken."

February 13, 1989
Dear Colleague letter

James Oberstar (D-Minn.)
H.R. 598, Aircraft Cabin Air Quality Protection Act

The Congress has already enacted, as part of the appropriations process, a two-year ban on smoking on two line flights of two hours or less. nat ban expires in April, 1990. While I supported that provision, I did so only as an interim step toward a long over-due, permanent ban on smoking on board aircraft, in view of the scientifically demonstrated, profound health risks to passengers and crew from passive smoking. There ought to be a prohibition on smoking on all domestic airline flights, whatever the duration of the flight. My bill would accomplish this purpose.

January 19, 1989
Statement by the Congressman

Jim Slattery (D-Kan.)
H.F. 1171, Cigarette Labeling Act

I have introduced H.R. 1127 which would require a new, permanent warning label, in addition to the current four rotating warning labels, on cigarette packages and advertising to read as follows:
SURGEON GENERAL'S WARNING: Nicotine In Cigarettes Is An Addictive Drug.

March 6, 1989
Dear Colleague letter

Pete Stark (D-Calif.)
H.R. 1452, Increase in Federal Cigarette Excise Tax

I am introducing a bill to increase the cigarette ex use tax by 25 cents, from the curre t 16 cents a pack to 41 cents. This action, alone, will stop 1 million teenagers from picking up the deadly habit and will save billions in health care costs in years to come.

The 25 cent increase in the excise tax will generate 14 billion a year.

March 15, 1989
Congressional Record

Mike Synar (D-Okla.)
H.R. 1493, Children's Health Protection Act

(a) Prohibits tobacco advertising that uses human figures of facsimiles, brand name logos or symbols, and pictures (except for a single picture of the product). Limits the size of the tobacco product

Synar

Weiss

Whittaker

displayed in the ad to the actual product size. Permits a neutral white background and black lettering only. Prohibits tobacco product advertising in any location where sports activities occur and from within 500 feet of schools.

(b) Prohibits free samples or d s-count coupons. Permits sponsorship of athletic, musical, artistic or other event and marketing of non-tobacco products or services under the corporate name of the tobacco product only. Prohibits tobacco manufacturers from paying to have their products used in motion pictures, television, plays, or other form of entertainment. Prohibits the placement of brand name logos or symbols on any toy used by people under the age of 18.

(c) Requires that tobacco product packages be white with black lettering and prohibits the use of

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pictures, brand name logos or symbols, pictures, and human figures or facsimiles on the product package.

March 16, 1989
Statement by the Congressman

Ted Weiss (D-N.Y.)
H.R. 412 Smoking and Health Advertising Act

Specifically, this bill amends the Internal Revenue Code of 1986 to disallow the deduction for advertising or other promotion expenses with respect to the sales of tobacco products unless the taxpayer (the tobacco companies) pays for the specified amount of advertising on the health effects of smoking. All advertisements would be prepared by, or approved by the Secretary of Health and Human Services (HHS) so as to assure their quality.

January 3, 1989
Statement by the Congressman

Bob Whittaker (R-Kans.)
H.R. 1494 Tobacco and Nicotine Health and Safety Act

The Legislation I am introducing today—the Tobacco and Nicotine Health and Safety Act of 1989—would create a new chapter under the Food, Drug, and Cosmetic Act to regulate the manufacture, distribution, sale and promotion of tobacco products. Specifically, this bill would:

- require tobacco manufacturers to fully disclose all chemical additives in tobacco products;
- give the Secretary of HHS the authority to reduce the levels of harmful additives or prohibit the use of those additives altogether;
- prohibit the sale of tobacco products to anyone under eighteen years old;
- prohibit the distribution of free samples or coupons for cigarettes;
- require a new warning label on the addictive nature of tobacco use.

Cranston

Hatch

In addition, the new bill specifies that non-tobacco products which contain nicotine are to be categorized as drugs, and are to be regulated by the FDA as such.

March 16, 1989
Press release

SENATE

Alan Cranston (D-Calif.)
S. 17, Fire Safe Cigarette Act

My bill directs the Consumer Product Safety Commission (CPSC) to seek the advice and expertise of the National Bureau of Standards and other Federal and state agencies engaged in fire safety in developing standards for less fire-prone cigarettes, and to take into account the results of the feasibility study. The bill further stipulates that the Commission shall issue the standards for fire safe cigarettes within one year of the date of enactment. In addition,

In addition, Mr. President my bill states that the standards shall be developed in accordance with the Administrative Procedures Act, provides for judicial review, and clarifies that the standards developed pursuant to this bill shall not preempt any state law that prescribes more stringent standards for fire safe cigarettes.

January 25, 1989
Congressional Record

Orrin Hatch (R-Utah)
S. 655, Public Protection from Passive Smoke Act

This legislation requires every domestic interstate public conveyance to certify to the Surgeon General of the Public Health Service that they will not voluntarily expose the public to passive smoke. This certificate must be displayed to the public, and anyone who violates the certificate may be fined up to $1,000.

Titles II and III of this legislation will also codify our existing public education efforts on cigarette and smokeless tobacco products.

March 17, 1989
Congressional Record

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